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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/708,947	04/02/2004	Ren-Peng Chen	HTCP0014USA	2946
27765	7590	02/09/2006	EXAMINER	
NORTH AMERICA INTELLECTUAL PROPERTY CORPORATION P.O. BOX 506 MERRIFIELD, VA 22116			RAY, GOPAL C	
			ART UNIT	PAPER NUMBER
			2111	

DATE MAILED: 02/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/708,947

Applicant(s)

CHEN ET AL.

Examiner

Gopal C. Ray

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

1. The examiner acknowledges the addition of new claims 30-33 by the amendment filed on 1/11/06. Claims 1-33 are presented for examination.
2. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.
3. Claims 1-17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The examiner notes the following ambiguities. However, all claims should be revised carefully to eliminate all grammatical errors and antecedent basis problems.

As per claim 1, the phrase "a control unit capable of electrically disconnecting the first parallel port from the first and second serial ports ..." (lines 4-5) is vague and indefinite because it appears that the first parallel port is disconnected from both the first and second serial ports at the same time which contradicts the connectivity of ports recited in the "Summary of Invention".

As per claim 2-17, the claims incorporate the deficiencies of parent claim 1.

4. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
5. Claims 1-4, 18 and 30-32 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,754,789 granted to Nowatzky et al. in view of US Patent 6,046,571 granted to Bovio et al.

As per claim 1, the reference of Nowatzky et al. teaches “transformer module having a first and second parallel port and a first and second serial port” a first serial/parallel data transformer comprising a parallel port and a serial port; a second serial/parallel data transformer comprising a parallel port and a serial port” in Figures 3(a)-3(b) and col. 5, lines 55-59.

The reference of Nowatzky et al. fails to expressly teach, “a control unit capable of electrically disconnecting the first parallel port from the first and second serial ports ...” (lines 4-6). However, the above feature was well known to one of ordinary skill in the art at the time the invention was made as evidenced by Bovio et al. The reference of Bovio et al. teaches the feature in col. 1, lines 25-44. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Nowatzky et al. to implement the above feature to obtain the claimed invention because both the prior art systems are analogous to improve network communications, the system of Nowatzky et al. already shows selective connection in Fig. 4; Fig. 5, element 29 and col. 5, line 65 – col. 6, line 11 and the above feature of Bovio et al. would allow the system of Nowatzky et al. to take advantage of the many benefits provided by the selective connection and disconnection of serial and parallel ports. The reference of Bovio teaches the motivation in col. 1, lines 37-44.

As per claim 2, the reference of Nowatzky et al. teaches, “a first processor electrically connected to the first parallel port” in Fig.1.

As per claim 3, the reference of Nowatzky teaches the added limitations of the claim in col. 6, lines 8-11.

As per claim 4, the claim is rejected for similar reasons as discussed in the rejection of claim 2 with the exception of "a second processor electrically connected to the second parallel port". However, the reference of Nowatzky et al. inherently teaches the feature in Fig. 4, elements B-E; each node can include a processor. Furthermore, according to *St. Regis Paper Co. v Bemis Co.*, 193 USPQ 8 (7th cir. 1977), mere duplication of parts for multiple effects, in this case adding another processor has no patentable significance.

As per claims 18 and 30, the limitations of the claims are similar to the combination of limitations claimed in claims 1-4 above. Therefore, the claims are rejected for similar reasons as discussed in the rejection of claims 1-4 above.

As per claims 31-32, the reference of Nowatzky et al. teaches the added limitations of the claims in Fig. 1.

6. Claims 5-17, 19-29 and 33 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent 5,754,789 granted to Nowatzky et al. in view of US Patent 6,046,571 granted to Bovio et al. as applied to claims 1-4, 18 and 30 above, and further in view of common knowledge in the art.

As per claims dependent claims 5-17 and 33, the claims recite various diverse limitations already known in the art such as "first processor has an operational voltage equal to that of the second processor" (claim 5), "first processor has an operational voltage different from that of the second processor" (claim 6), etc. However, the examiner takes Official Notice that the extra features claimed in claims 5-17 and 33 are well known in the data communication art at the time of the invention. It would have

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been obvious to one of ordinary skill in the data communication art at the time the invention was made to implement the above features in the system of Nowatzky et al. to obtain the claimed invention as claimed in claims 5-17 and 33 because these are straightforward possibilities from which one of ordinary skill in the art at the time the invention was made would select in accordance with circumstances without the exercise of inventive skill so as to allow the system to be compatible with a widely used standard and to take advantage of the many benefits provided by those features.

As per dependent claims 19-29, the added limitations of the claims are same as the limitations claimed in claims 7-17 respectively. Therefore the rejection of claims 7-17 discussed above is also applicable to claims 19-29.

7. Applicant's arguments filed on 1/11/06 have been fully considered but are moot in view of the new ground(s) of rejection.

If applicants are aware of any better prior art than those are of record, they are required to bring the prior art to the attention of the examiner. Applicants are also reminded that each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in 37 CFR 1.56. Applicants are advised to submit any information material to patentability in accordance with 37 CFR 1.97 and 1.98.

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

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§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gopal C. Ray whose telephone number is (571) 272-3631. The examiner can normally be reached on Monday - Friday from 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart, can be reached on (571) 272-3632. The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [mark.rinehart@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a

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possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to TC central telephone number is (571) 272-2100. Moreover, information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Lastly, paper copies of cited U.S. Patents and Patent Application Publications ceased to be mailed to applicants with office actions as of June 2004. Paper copies of Foreign Patents and Non-Patent Literature will continue to be included with office actions. These cited U.S. Patents and Patent Application Publications are available for download via Office's PAIR. As an alternate source, all U.S. Patents and Patent Application Publications are available on the USPTO web site (www.uspto.gov), from the office of Public Records and from commercial sources. Applicants are referred to the Electronic Business Center (EBC) at <http://www.uspto.gov/ebc/index.html> or 1-866-

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217-9197 for information on this policy. Requests to restart a period for response due to a missing U.S. Patent or Patent Application Publications will not be granted.

Gopal C. Ray

**GOPAL C. RAY
PRIMARY EXAMINER
GROUP 2800**